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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/552,559

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EXAMINER

INGVOLDSTAD, BENNETT

ART UNIT

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2623

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/552,559	Applicant(s) SAHASRABUDHE ET AL.	
	Examiner BENNETT INGOLDSTAD	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 October 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4, 9-12, and 17-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Okamura (US 5483685).

Claim 1: Okamura discloses a method for selecting a broadcast program, comprising:

- receiving a first user input representing a first digit associated with said broadcast program (first digit 1A [Fig 1] for selecting a channel [Abstract]);
- storing first data representing said first digit within one of a first predetermined time interval for a first region (within an “immediate” time interval [col. 6, l. 39-47] for a region having less than 10 channels [col. 4, l. 6-28]) and a second predetermined time interval for a second region (within a selection lag time [col. 5, l. 13-19] for a region having more than 9 channels [col. 4, l. 6-28]); and
- processing said first data for selecting said broadcast program (selecting the program based on the inputted digit [Abstract]).

Claim 9: Okamura discloses an apparatus, comprising:

- tuning means for tuning a frequency providing a broadcast program (in receiver 11, which receives channel selection signal 7A [Fig 1]);
- memory means (memory 3 [Fig 1]) for storing first data representing a first digit associated with said broadcast program responsive to a first user input (input digit 1C [Fig 1]), said memory means storing said first data within one of a first predetermined time interval for a first region (within an “immediate” time interval [col. 6, l. 39-47] for a region having less than 10 channels [col. 4, l. 6-28]) and a second predetermined time interval for a second region (within a selection lag time [col. 5, l. 13-19] for a region having more than 9 channels [col. 4, l. 6-28]); and
- processing means for processing said first data and controlling said tuning means to select said broadcast program (selecting the program based on the inputted digit [Abstract])

Claim 17: Okamura discloses a television signal receiver, comprising:

- a tuner operative to tune a frequency providing a broadcast program (in receiver 11, which receives channel selection signal 7A [Fig 1]);
- a memory (memory 3 [Fig 1]) operative to store first data representing a first digit associated with said broadcast program responsive to a first user input (input digit 1C [Fig 1]), wherein said memory stores said first data

within one of a first predetermined time interval for a first region (within an “immediate” time interval [col. 6, l. 39-47] for a region having less than 10 channels [col. 4, l. 6-28]) and a second predetermined time interval for a second region (within a selection lag time [col. 5, l. 13-19] for a region having more than 9 channels [col. 4, l. 6-28]); and

- a processor operative to process said first data and control said tuner to select said broadcast program (channel selection signal generation circuit 7 generates a selection signal 7A [Fig 1])

Claims 2, 10, and 18, dependent on claims 1, 9, and 17 respectively: Okamura further discloses wherein:

- said first predetermined time interval is shorter than said second predetermined time interval (immediate time interval [col. 6, l. 39-47] is shorter than a lag time interval [col. 5, l. 13-19]; and
- said first data is processed after one of said first and second predetermined time intervals expires (after the time interval has elapsed [col. 5, l. 13-19] [col. 6, l. 39-47]).

Claims 3, 11, and 19, dependent on claims 1, 9, and 17 respectively: Okamura further discloses:

- receiving a second user input representing a second digit associated with said broadcast program within one of said first and second predetermined time intervals (a second digit within the lag interval [col. 5, l. 23-29]); and
- processing said second data for selecting said broadcast program [col. 5, l. 23-29].

Claims 4, 12, and 20, dependent on claims 1, 9, and 17 respectively: Okamura further discloses:

- receiving a second user input representing a second digit associated with said broadcast program within a third predetermined time interval after one of said first and second predetermined time intervals expires (within an overall interval consisting of the first digit lag interval and the second digit lag interval, the second digit selected during the second digit lag interval after the first lag interval expires [col. 5, l. 6-38]); and
- processing said second data for selecting said broadcast program [col. 5, l. 23-29].

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5-7, 13-15, and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okamura (US 5483685) in view of Applicant's admitted prior art.

Claims 5, 13, and 21, dependent on claims 1, 9, and 17 respectively: Okamura does not further disclose wherein said first region includes Europe and Asia.

Applicant discloses that Europe and Asia are known to be regions that have less than 10 broadcast channels [spec. pg. 1, l. 21-30].

Therefore it would have been obvious for the first region having less than 10 channels as disclosed by Okamura [col. 6, l. 39-47] to have included Europe and Asia due to the popularity of broadcasts with less than 10 channels in Europe and Asia.

Claims 6, 14, and 22, dependent on claims 1, 9, and 17 respectively: Okamura does not further disclose wherein said second region includes North America and South America.

Applicant discloses that North America and South America are known to be regions that have more than 100 broadcast channels [spec. pg. 1, l. 21-30].

Therefore it would have been obvious for the second region having more than 100 broadcast channels as disclosed by Okamura [col. 5, l. 39-64] to have included North America and South America due to the popularity of broadcasts with more than 100 broadcast channels in North America and South America.

Claims 7, 15, and 23, dependent on claims 1, 9, and 17 respectively: Continuing with the rejections of claims 5 and 6, Okamura in view of Applicant's admitted prior art further disclose wherein:

- said first region receives first broadcast programs from a first service provider (a European or Asian service provider); and
- said second region receives second broadcast programs from a second service provider (a North or South American service provider).

5. Claims 8, 16, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okamura (US 5483685).

Claims 8, 16, and 24, dependent on claims 1, 9, and 17 respectively: Okamura further discloses:

- enabling [...] selection of one of said first region and said second region (selection of the frequency sweep, which determines the region [col. 3, l. 62 – col. 4, l. 28]); and
- storing data corresponding to one of said first region and said second region responsive to said user selection (storing a number indicating the number of channels in the region [col. 4, l. 6-16])

Okamura does not specifically disclose that the frequency sweep is selected by the user.

OFFICIAL NOTICE is taken that it was well known to perform a frequency sweep for determining the received channels upon selection of a user.

Therefore it would have been obvious to have modified the frequency sweep to have been selectable by the user for the purpose of providing control over the operation of the system to the user.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BENNETT INGOLDSTAD whose telephone number is (571)270-3431. The examiner can normally be reached on M-Th 8-6:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Beliveau can be reached on (571) 272-7343. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Bennett Ingvaldstad/
Examiner, Art Unit 2623

/Scott Beliveau/
Supervisory Patent Examiner, Art Unit 2623